

U.S. Department of Justice

MEMO ENDORSED.

United States Attorney
Southern District of New York
Civil Division

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May 19, 2023

Via CM/ECF

Hon. Ona T. Wang
United States Magistrate Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *Rivera v. Kijakazi*
Civil Action No. 23-cv-00268

Dear Judge Wang:

We write to advise the Court of an error concerning the administrative record in this case, and to ask that the Court strike the administrative record. In reviewing the record, we discovered that it contains medical treatment notes pertaining to individuals other than Ada Rivera, the plaintiff. *See* ECF No. 13, pp. 448-451, 455-58, 460-61, 497, 500, 502-06, 513-516, 528-29. Therefore, the Social Security Administration has prepared a corrected record. Given that the administrative record on file contains information concerning individuals other than Plaintiff, we respectfully request that the Court issue an order striking the current record, at ECF No. 13. Eddy Pierre Pierre, Esq., Plaintiff's counsel, has no objection to this request. Once the Court strikes the erroneous record, our office will file the corrected version.

We appreciate the Court's consideration of this request.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

BY: s/ Victoria S. Treanor
Victoria S. Treanor

Application **GRANTED**. Defendant is directed to file a corrected administrative record by **May 23, 2023**. Plaintiff is directed to file a revised Motion for Judgment on the Pleadings by **May 30, 2023**. Defendant's brief remains due **June 20, 2023**. (ECF 17). Plaintiff's reply remains due 21 days after the filing of Defendant's brief.

The Clerk of Court is respectfully directed to strike ECF 13 from the docket, and to close ECF 14 and 18.

SO ORDERED.



Ona T. Wang 5/22/23
U.S.M.J.

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